

**REMARKS**

Claims 1-14 of which Claims 1 and 8 are the independent claims are pending in the subject application. Claims 1-2, 7-8 and 14 are being amended by this Amendment for clarity in understanding the present invention. Support for the amendments to Claims 1 and 8 is found at least in Specification page 3, lines 4-7; page 8, lines 3-4; page 5, lines 15-28 and page 16, lines 8-18 as originally filed. Support for the amendment to Claim 2 is found at least on Specification page 4, line 23 as originally filed. Support for the amendment to Claims 7 and 14 is found at least on Specification page 10, lines 25-26; page 12, lines 25-29; page 16, lines 26 - page 20 line 16 and Fig. 5 as originally filed.

New claims 15-18 are now being added. Support for new Claims 15 and 17 is found at least on Specification page 3, lines 22-27 and page 5, line 28 - page 6, line 2 as originally filed. Support for new Claims 16 and 18 is found at least on Specification page 3, lines 9-14 as originally filed.

No new matter is introduced. Acceptance is respectfully requested.

The drawings have been objected to as failing to comply with 37 C.F.R. § 1.84(p)(5). In support of this objection, the Office Action recites reference number 111 in Fig. 8 as not being explained in the Specification. The above amendment to the Specification page 24, lines 1-8 adds the reference number 111 to the description. Thus the drawings are believed to now comply with Rule 84(p)(5). Acceptance is respectfully requested.

The abstract has been objected to for exceeding 150 words. The foregoing amendment to Specification page 29 reduces the number of words in the abstract to less than 150. Acceptance is respectfully requested.

The Specification has also been amended to correct minor errors and in particular misspellings as set forth on page 3 of the Office Action at hand. No new matter has been introduced by the amendments to the Specification. Acceptance is respectfully requested.

Claim 2 has been objected to for the misspelling of the term "wireless". Claim 2 as now amended corrects for this informality. Acceptance is respectfully requested.

Claims 1 and 8 have been rejected under 35 U.S.C. § 103 as being unpatentable over Skinner et al. (U.S. Patent No. 6,185,514) in view of Tran (U.S. Patent No. 5,991,742) and further in view of Kuroiwa et al. (U.S. Patent No. 5,960,063). In addition Claims 1 and 8 have

been rejected under 35 U.S.C. § 103 as being unpatentable over Skinner et al. in view of Tran and further in view of Kuroiwa et al. and Sprague et al. (U.S. Patent No. 5,247,575). Applicant responds as follows.

The patent to Skinner et al (U.S. Patent No. 6,185,514) is directed to "A method and system for automatically collecting and for analyzing information about time and work performed on a computer includes a hardware abstraction layer for monitoring activity on various user input devices." (See Abstract)

By contrast, the present invention focuses on time and work performed that is not done on a computer and/or time and work done on a computer that does not contain the software described in Skinner et al. For example, the Skinner et al. patent would not be relevant or applicable for an elevator repairman making service calls. Nor could the Skinner et al. patent be used by someone working on a computer that does not have the software loaded. (Say, for example, an end user of the Skinner software temporarily works off his spouse's computer that does not have the Skinner software. The Skinner et al. approach becomes inapplicable.)

Further, the present invention provides for real-time feedback to the user (exchange between user and database), prompting the user regarding the time and expense information reported and confirmation of the same. See Specification page 3, lines 20-27 and page 5, lines 11-28 as originally filed. For example, the elevator repairman calling in his time and expense information from a service call job assignment would confirm the information he inputted via voice. Skinner has none of these features or benefits.

The present invention is also interactive, providing the user the opportunities to modify (edit) data and obtain information. See Specification page 3, lines 24-26; page 10, lines 25-26; page 12, lines 25-29 and the example beginning at page 16, line 26 through page 20, line 6 and corresponding to Fig. 5. By contrast, the Skinner et al. device monitors computer users and measures the amount of work done, without the users' intervention and, indeed, intent. Users do not interact directly with the Skinner et al. device and, indeed, one of the premises of the Skinner et al. device is that users' time and amount of work done are tracked automatically. Unlike the present invention, users do not initiate time and expense reports with Skinner et al.

Two other key differences between Applicant's invention and Skinner et al. is that first, the present invention has the capability to prompt users via a phone call reminder to provide time

and expense information (Specification page 3, lines 4-7 as originally filed), while Skinner et al. simply collects via background monitoring time-related work done on a specific computer. Second, the present invention provides for optional advertising sponsorship (individually targeted messages) via voice messages that users would hear when communicating with the invention's system, while Skinner has no such feature. See Specification page 3, lines 9-14 as originally filed.

The present invention also differs substantially from Tran (U.S. Patent No. 5,991,742). The Tran system provides for a handwriting recognizer or a speech recognizer, but both are contained in the input device which contains a microprocessor and stores the information in the input device memory for transfer to a computer system via docking. See column 2, lines 20-30; column 3, lines 7-16; column 4, lines 11-22; column 5, lines 9-40 and column 9, lines 38-54. The Tran system, thus, is dependent on a "smart" handheld device that holds the data. A user is, thus, required, to take an extra action by transferring the data to an accounting system via a docking station.

By contrast, the input device for speech recognition functionality in the present invention is a telephone, either wireless or land line, that is connected over a communication line directly to the computer system that processes the voice commands and transfers the data to an accounting system. There is no interim step of storing the information in the memory of the input device with this invention. Nor is there the interim step of transferring the information via a docking station.

In further contrast to Tran, the present invention provides for feedback to (exchange of information with) the user, prompting the user regarding the time and expense information reported and confirmation of the same. See page 3, lines 20-25; page 5, lines 11-28 and page 10, lines 21-26 as originally filed. Tran also does not provide interactivity for the user in terms of providing opportunities to modify (edit) data and obtain information as cited above at least with reference to Fig. 5 and corresponding description at page 16, line 26 - page 20 line 16 as originally filed.

Tran also differs from the present invention by not providing optional advertising sponsorships to support the service (Specification page 3, lines 9-14), and by not providing

language translation services (Specification page 3, lines 22-27 and page 5, line 28 - page 6 line 2 as originally filed). For example, with the present invention, someone speaking the Spanish language can record time and expense information in Spanish and the system will automatically translate that information into English or another language that is used by the user's company. He could also get information about his time, expenses, and work assignments in Spanish. Tran does not provide for language translations of inputted data from the user, nor does it provide for information from a user's company to be translated to the language in which the user is speaking/using when providing feedback to (exchange of information with) the user as in the present invention.

The patent to Kuroiwa et al. (U.S. Patent No. 5,960,063) discloses a telephone voice recognition system for automated dialing and is quite different than the present invention that relates to the capture, tracking, and management of accounting data using natural language speech recognition.

More specifically, the present invention is interactive with the user including prompting services for capturing time and expense information, feedback to confirm information provided by users as well as language translation services. See Specification page 2, line 27 through page 3, line 8; page 3 lines 20-24; and page 5, line 11 - page 6, line 2, as originally filed.

Thus, it would not have been obvious to a person of ordinary skill in art of speech processing at the time of this invention to apply the method/teachings of Tran to the device/method of Skinner et al so as to enable "hands-free" operation. Please consider the following:

a. The Skinner et al. device is designed only for monitoring time and work activities done on a specific computer or computers. The user must have the Skinner et al. software loaded on the computer he is using and, the Skinner et al. device, thus, could, by its own definition, not be used in a "hands-free" operation. By contrast, the present invention is for all types of work activities and expenses and provides for communication of data and information using a wireless or landline phone via a communications line.

b. The Tran device is designed specifically for collection of time and expense information via a handheld device that is then docked with a computer for transfer of data. The present invention use of a communications line for sending the information effectively eliminates

the need for the handheld device for recording of time and expense information, since a telephone would be used as the input device. By providing voice input via a communications line, the Tran device would, by definition, make itself obsolete by requiring users to have both a handheld device for recording information with a handwriting recognizer and a telephone for sending information to a computer system that contains voice recognition functionality. Additionally, users could potentially have difficulty in reconciling information recorded with handheld device and uploaded with information that is sent via the communications line.

c. Kuroiwa et al. is for automated dialing of a telephone and does not cure the shortcomings of Skinner et al. and Tran above as related to the present invention.

d. Even if combined, none of the cited references provide the capability to prompt users to record time and expense information and confirm information in an exchange between user and system (database) as in the present invention.

e. Lastly, none of the cited art provide for language translation capabilities with the input of time and expense information and for users to obtain real-time feedback (exchange of) information in their native languages as in the present invention. Likewise none of the cited art provide the individually targeted message (or advertising) feature of the present invention.

Base Claims 1 and 8 as now amended recite the foregoing patentable distinctions of d. above with the language "prompting a user to enter accounting data by speaking...wherein said prompting includes at least one of (i) initiating a call to the user, (ii) asking the user to confirm information and (iii) prompting for information one data point at a time, such that the step of prompting provides an exchange of information between the user and the database."

Now added new Claims 15-18 recite the patentable distinctions of e. above. Further Claims 2-7 and 15-16 are dependent on base Claim 1 and Claims 9-14 and 17-18 are dependent on base Claim 8, and thus inherit the patentable distinctions of their respective base claim. Where none of the cited or prior art provide these claimed features, no combination of the cited art implies, suggests or makes obvious the present invention as now claimed in Claims 1-18.

Thus, withdrawal of the § 103 rejection of Claims 1 and 8 and their dependent claims in view of Skinner et al. ('514), Tran ('742) and Kuroiwa et al. ('063) is respectfully requested.

With regard to the § 103 rejection of Claims 1 and 8 based on Skinner et al., Tran, Kuroiwa et al. in further view of Sprague et al. (U.S. Patent No. 5,247,575), Applicant responds as follows.

It is noted that on page 8 of the Office Action at hand, the subheading lists "Cohen" and the U.S. patent number recited at the end of paragraph 14 is that of Cohen's and not Sprague et al. However, in paragraph 15 of the Office Action, the columns and lines cited are columns 10 and 18. The Cohen patent has only eight columns. Thus Applicant interprets this rejection to apply to Sprague et al. (U.S. Patent No. 5,247,575) and not Cohen (U.S. Patent No. 4,949,187).

Skinner et al., Tran and Kuroiwa et al. are discussed previously. Sprague et al. does not add the prompting of the claimed invention that is lacking in Skinner et al., Tran and Kuroiwa et al.

Sprague et al. '575 is described in its "Background of The Invention," section as relating "to the provision of information services to multiple users and, specifically, to a method and apparatus for distributing information to users in the field and for accounting financially for the information distributed to, and selected and received by each user." By contrast, the present invention relates to the capture, tracking and management of accounting data using natural language speech recognition. It does not include any capability for billing unlike Sprague et al., nor is the primary intention of the present invention to provide information services like those described in Sprague et al. to multiple users in the field.

It would not have been obvious to a person of ordinary skill in art of speech processing at the time of this invention to apply the method/teachings of Sprague et al. to the device/method of Skinner et al. to provide management status on a timely basis by eliminating the delay of scheduled paper report delivery. Please consider the following:

a. The Sprague et al. patent does not provide users the capability to obtain reports on their own activities. Sprague et al does not provide natural language speech recognition and it does not provide a telephone as the primary input device for the data that is used in the reports and information distributed to users. By contrast, the present invention provides those features and benefits.

b. The Skinner et al. patent does not provide users the capability of obtaining reports; nor does it provide the capability for tracking and management of expenses. It is designed to monitor

work activities on a specific computer or computers in Skinner et al. Users cannot obtain information and reports when away from their computers in Skinner et al. By contrast, the present invention provides those features and benefits.


As such no combination of Skinner et al., Tran, Kuroiwa et al. and Sprague et al. implies, suggests or makes obvious the present invention as now claimed in base Claims 1 and 8. The patentably distinguishing claim language is quoted above. The dependent claims follow. Thus it is believed that the rejection of Claims 1, 7, 8 and 14 under § 103 in view of Skinner et al., Tran, Kuroiwa et al. and Sprague et al. ('575) is overcome and withdrawal of this rejection is respectfully requested.

### CONCLUSION

In view of the above amendments and remarks, it is believed that all now pending claims (Claims 1-18) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Mary Lou Wakimura

Registration No. 31,804

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

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